

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

STEVEN OWENS,

Plaintiff,

v.

Civil Action No. 3:18CV433

LT. MOORE, et al.,

Defendants.

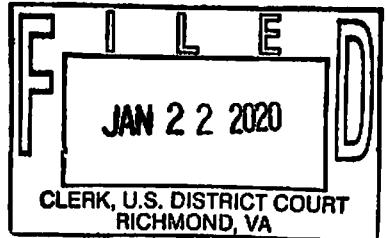
MEMORANDUM OPINION

Steven Owens, a Virginia inmate proceeding pro se, filed this 42 U.S.C. § 1983 action. This action proceeds on Owens's PARTICULARIZED COMPLAINT. ("Complaint," ECF No. 16.) The matter is before the Court Owens failure to serve the John Doe Defendants,

Under Federal Rule of Civil Procedure 4(m), Owens had 90 days to serve the defendants.¹ Here, that period commenced on June 7, 2019. (ECF No. 28.) On that date, the Court attempted to serve the defendants pursuant to an informal service agreement with the Attorney General's Office for the Commonwealth of Virginia. On

¹ Rule 4(m) provides, in pertinent part:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.



July 11, 2019, the Attorney General's Office informed the Court and Owens that it could not accept service for the four John Doe Defendants named in the Complaint because Owen had failed "to provide sufficient details to identify these individuals." (ECF No. 32, at 1 n.1.) More than ninety (90) days elapsed and Owens failed to serve the John Doe Defendants. Accordingly, by Memorandum Order entered on December 12, 2019, the Court directed Owens, within eleven (11) days of the date of entry thereof, to show good cause why the action should not be dismissed against the John Doe Defendants. Owens has not responded. Accordingly, all claims against the John Doe Defendants will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Owens and counsel for Moore.

It is so ORDERED.

/s/

REP

Robert E. Payne
Senior United States District Judge

Date: *January 22, 2020*
Richmond, Virginia